

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

)
DOMINO'S PIZZA FRANCHISING,)
LLC, a Delaware limited liability)
company' and DOMINO'S PIZZA) **Case No. 3:10-cv-00560-HDM-RAM**
MASTER ISSUER, LLC, a Delaware)
limited liability company,)
)
Plaintiffs,) **MINUTES OF COURT**
)
vs.) **February 16, 2012**
)
CALVIN YEAGER, an individual,)
VALLEY PIZZA, INC., a Nevada)
corporation; and LAKESIDE PIZZA,)
INC., a California corporation,)
)
Defendants.)
/

PRESENT:

THE HONORABLE HOWARD D. McKIBBEN, SENIOR U.S. DISTRICT JUDGE

Deputy Clerk: Paris Rich Reporter: Kathryn French

Counsel for Plaintiffs: Lance Maiss, Esq. with Louis Bubala, Esq.

Counsel for Defendants: Robert Huckaby, Esq.

PROCEEDINGS: Motion Hearing Re: [50] Renewed Motion to Enforce Judgment and Show Cause Hearing

At 10:30 a.m., the Court convenes.

Lance Maiss, Esq. and Louis Bubala, Esq. are present on behalf of the Plaintiffs Domino's Pizza Franchising, LLC and Domino's Pizza Master Issuer, LLC (collectively, "Domino's").

Robert Huckaby, Esq. is present on behalf of the Defendants. Calvin Yeager and Matthew Mattlock are also present.

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Mr. Huckabee confirms the Court's receipt of [65] and [66] Notices and advises of the Plaintiffs previous statements contained in [29] Response and Declaration. Mr. Huckabee further states he believes this matter should be subject to the automatic stay.

Mr. Bubala presents statements and asserts the telephone information in dispute is not owned by Valley Pizza, Inc. and was sold to Matthew Mattlock. Therefore, automatic stay with respect to Valley Pizza, Inc. is not applicable.

The Court specifically finds there is no automatic stay in effect regarding Mr. Yeager's reopened Chapter 7 Bankruptcy. **IT IS ORDERED, any further continuance of this matter on the basis of any alleged automatic stay is DENIED. IT IS SO ORDERED.** The Court proceeds.

The Court inquires as to service in this matter. Mr. Maiss confirms Calvin Yeager, Matthew Mattlock and Robert Huckabee were all personally served [58] Order, [59] Minute Order and [60] Notice.

Mr. Maiss presents argument as to the transfer of the telephone numbers (775) 265-2929 and (530) 543-1235. Mr. Huckabee recites objection as to the telephone number of (530) 543-1235. The Court instructs Mr. Maiss to continue, and Mr. Maiss continues with argument.

CALVIN THOMAS YEAGER, JR., called on behalf of the Plaintiffs, is sworn, examined on direct by Mr. Maiss, cross-examined by Mr. Huckabee, examined on redirect by Mr. Maiss, and excused.

MATTHEW LOUIS MATTLOCK, called on behalf of the Plaintiffs, is sworn, examined on direct by Mr. Maiss, cross-examined by Mr. Huckabee, and excused.

Mr. Maiss presents argument on behalf of the Plaintiffs.

Mr. Huckabee presents argument on behalf of the Defendants.

At 11:25 a.m., the Court recites findings and conclusions.

IT IS ORDERED, Domino's [50] Renewed Motion to Enforce Judgment against Calvin Yeager and Matthew Mattlock is GRANTED. This Court has the authority to enforce the Michigan Judgment against Calvin Yeager and Matthew Mattlock.

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IT IS FURTHER ORDERED, this Court has the authority and hereby orders the transfer of the telephone numbers (775) 265-2929 and (530) 543-1235 to Domino's within ten (10) days of this date. Following such transfer, Calvin Yeager and Matthew Mattlock shall provide notification to the Court that the transfer of the telephone numbers to Domino's has occurred.

IT IS FURTHER ORDERED, In the event Calvin Yeager and Matthew Mattlock fail and refuse to transfer the aforementioned telephone numbers to Domino's within ten (10) days of this date, and provide the Court with notification, this Court finds that Domino's, pursuant to the Michigan Judgment, is the owner of the aforementioned telephone numbers and shall have the right to take the legal acts necessary to transfer the telephone numbers on its own behalf. **IT IS SO ORDERED**.

The Court recites further findings as to the Plaintiffs' request for sanctions.

IT IS FURTHER ORDERED, the Plaintiffs' request for sanctions against Calvin Yeager, Matthew Mattlock and Robert Huckaby is DENIED. **IT IS SO ORDERED**.

Mr. Huckaby requests clarification and finding as to Calvin Yeager's control over the phone numbers in light of Bankruptcy Code Section 524.

IT IS ORDERED, the request for clarification is DENIED. **IT IS FURTHER ORDERED**, Defendants may address any further issues in the Bankruptcy Court. **IT IS SO ORDERED**.

At 11:48 a.m., the Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ Paris Rich
Deputy Clerk